

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 103.6, the Electrical Examining Board hereby gives Notice of Intended Action to amend Chapter 550, “Electrical Inspection Program—Organization and Administration,” Iowa Administrative Code.

The Electrical Examining Board is authorized to adopt administrative rules governing all aspects of the licensing of electricians and electrical contractors and of the state electrical inspection program. The proposed amendment updates rules regarding electrical inspection programs operated by political subdivisions to clarify requirements for certification of electrical inspectors.

The certification standards for political subdivisions established by the Electrical Examining Board are designed to implement specific guidance on the type of certification required to comply with Iowa Code section 103.24(1)“b.” The proposed amendment provides uniformity throughout the state regarding electrical inspections, while providing cities and counties the flexibility allowed by law.

Within the electrical trade, there are two primary sources for certification of residential and commercial electrical inspectors: the International Association of Electrical Inspectors and the International Code Council. The standards for both associations are similar, and both inspector certification programs are designed to ensure that inspectors are properly trained to identify deficiencies that may affect public safety and welfare.

Iowa Code chapter 103 provides for gradual implementation of licensing and certification requirements, including requirements for political subdivisions to comply with statewide standards for certification of inspectors as of January 1, 2014. This proposed amendment implements uniform standards across the state for all electrical inspectors, as provided for in Iowa Code sections 103.24 and 103.29.

Before initiating the proposed amendment, the Board surveyed municipalities in Iowa to determine how many currently engage in inspections, how many have certified inspectors, and how many planned to continue their own inspection programs after January 1, 2014. Of the 49 municipalities that reported that they currently provide their own electrical inspections, about half already certify their inspectors, and nearly every municipality had plans to require certification or were exploring how to obtain certification for their electrical inspectors.

Although state inspectors are required to obtain certification to conduct both residential and master (or residential and commercial) inspections, the proposed amendment allows a city or county to limit its inspectors’ duties, which requires more limited certifications. Thus, if employees’ duties are limited, it is not necessary to obtain certification for every type of inspection. This approach provides flexibility to the city or county and its employees, while also protecting public safety.

Electrical demands continue to increase as advances in technology require more electrical wiring, and more complex electrical wiring, to meet changing needs. Proper electrical wiring is essential to public safety, as well as resource efficiency. The Bureau of Labor Statistics estimated a 23 percent growth rate for electricians between 2010 and 2020, faster than the national average for all occupations.

In addition, a strong economy that results in increased construction means an increased demand for electricians. United States Census data show that Iowa suffered less and has recovered faster than its neighboring states during the latest recessionary period. Similarly, Associated General Contractor data also show that Iowa’s economic recovery has occurred faster than the national average. In fact, construction employment in Iowa rose 7 percent from 2008 to 2012, in comparison to the national

average of just 1.3 percent, and Iowa ranked fourth out of 51 jurisdictions in construction employment numbers. Given Iowa's economic edge in recovering from the recessionary period from 2008 to 2010, it is not surprising to see that measures of both residential and nonresidential construction are stronger in Iowa in comparison to its neighbors. This increases the demand for qualified electrical contractors and electricians and also increases the demand for certified electrical inspectors who can ensure the safety of Iowans.

This rule making provides for uniform inspection standards throughout the state. New construction and improvements in existing infrastructure may place increased demands on local resources. Providing uniform standards for electrical inspection also translates into uniform business expectations for the construction industry, the insurance industry, and the utilities that provide power to all Iowa communities. Certified inspectors can increase public safety and reduce costs associated with dangerous electrical wiring.

A public hearing on this proposed amendment will be held on January 17, 2013, at 10 a.m. in the First Floor Public Conference Room (Room 125), State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa. Persons may present their views orally or in writing at the public hearing.

Any written comments or information regarding this proposed amendment may be directed to the Agency Rules Administrator by mail to Agency Rules Administrator, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319; by fax to (515)725-6195, Attention: Agency Rules Administrator; or by electronic mail to admrule@dps.state.ia.us by 4:30 p.m. on January 16, 2013.

Rules of the Electrical Examining Board are subject to the waiver provisions of rule 661—501.5(103). The Board does not have authority to waive requirements established by statute.

After analysis and review of this rule making, there should be a positive impact on jobs. The Board will continue to work with stakeholders to maximize this rule making's positive impact on jobs.

This amendment is intended to implement Iowa Code sections 103.24 and 103.29.

The following amendment is proposed.

Amend rule 661—550.4(103) as follows:

661—550.4(103) Qualifications of inspectors.

550.4(1) *State inspectors.* Electrical inspectors, electrical inspector supervisors, and the chief electrical inspector shall be certified as commercial and residential electrical inspectors no later than one year after starting employment in any of these positions.

a. Certification as inspector. Certification shall be obtained from the International Association of Electrical Inspectors, P.O. Box 830848, Richardson, TX 75080-0848, as both a certified electrical inspector—residential and as a certified electrical inspector—master, or from the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, as both a residential electrical inspector and a commercial electrical inspector.

b. Other job requirements. Each of the persons employed in these classifications shall also meet any requirements established by the department of administrative services, human resource enterprise, for the job classification in which the person is employed.

550.4(2) *Political subdivision inspectors.* A political subdivision that chooses to perform its own inspections on or after January 1, 2014, must require certification of its inspectors, as provided in Iowa Code section 103.29.

a. Certification as inspector. A person who is employed as an electrical inspector for a political subdivision on January 1, 2014, must obtain certification on or before January 1, 2015. A person employed after January 1, 2014, must obtain certification within one year of the appointment date. The board may take action to enforce statutory compliance by the individual or by the political subdivision if a person appointed as an inspector fails to obtain certification within one year of appointment or fails to maintain the required certification while employed as an inspector.

b. Certification requirements. Certification of electrical inspectors for political subdivisions shall be obtained from the International Association of Electrical Inspectors, P.O. Box 830848, Richardson, TX 75080-0848, as a certified electrical inspector—residential or as a certified electrical

inspector—master or both, or from the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, as a residential electrical inspector or a commercial electrical inspector or both.

c. *Inspections.* A political subdivision has the authority to limit an inspector's duties to only residential inspections or only commercial inspections, so long as the inspector assigned to those duties obtains and maintains the proper certification to conduct the inspections assigned.

d. *Other job requirements.* A political subdivision may impose other job requirements consistent with the law and the needs of that political subdivision.